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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No.3194 of 2007

Petitioner	:	Brij Lal S/o Peela Ram, aged about 39 years, by caste Gada, resident of Village Raja Dera, Gram Panchayat Chibarra and Gondbahal, Patwari Halka No.21, R.I. Circle, Pithora, Police Station Pithora, Tahsil and District Mahasamund (CG).

Versus

Respondents	1.	State of Chhattisgarh, through the Secretary, Revenue, Ministry of Revenue, D.K.S. Building, Raipur (CG).
	2.	The Board of Revenue, Chhattisgarh, Bilaspur, through its President, Revenue Board, Circuit Court Raipur (CG).
	3.	The Collector, Mahasamund, District Mahasamund (CG).
	4.	The Sub Divisional Officer, (Revenue), Mahasamund (CG).
	5.	The Additional Tahsildar, Pithora, District Mahasamund (CG).
	6.	Kamla Bai D/o Peela Ram resident of Village Rajadera, Tahsil Pithora, District Mahasamund (CG).
	7.	Bhagirathi S/o Ramai, resident of Rajadera, Tahsil Pithora, District Mahasamund (CG).

(Writ Petition under Article 226/227 of the Constitution of India)

Single Bench: Hon'ble Justice Satish K. Agnihotri

Present : Smt Renu Kochar, counsel for the petitioner.
Shri Sushil Dubey, Govt. Advocate for the State.

ORDER
(Passed on 11th June, 2007)

The petitioner and the respondent No.6 are the son and the daughter, respectively of Shir Peela Ram, resident of Village Raja Dera, Patwari Halka No.21, Tehsil Pithora, District Mahasamund (CG). The petitioner claims appointment on the post of Kotwar of village Rajadera and Kokobhata. The respondent No.6 Kamalabai, being daughter of the earlier Kotwar, Shri Peela Ram filed revision before the Board of

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Revenue in the Revenue Revision Case No.12/R/A-56/720/2006. The Board of Revenue after hearing all the parties came to the conclusion that the appointments made by various orders, in favour of respondent No.6 and the petitioner also were not in accordance with the provisions of Section 230 of Land Revenue Code read with Kotwar Rules. The matter was remitted to the competent authority for deciding the dispute afresh in accordance with the provision of Law.

2. Learned counsel for the petitioner submits that the order passed in favour of the petitioner is in accordance with the law and there was no reason to remand back the same for considering the dispute afresh. Learned counsel appearing for the petitioner further submits that since the petition is continuing and performing the duties as Kotwar, he be permitted to continue on the post till matter is decided by the competent authority.

3. Be that as it may, on perusal of the impugned judgment and order and other orders passed by various authorities, I do not find any perversity or irregularity in the impugned order so as to call for interference in the supervisory jurisdiction of this Court under Article 227 of the Constitution of India. However, the petitioner is at liberty to make an appropriate application before the competent authority for interim relief, if so advised. On filing of such application, the competent authority may consider and decide the same in accordance with law. This order shall not come in the way of decision making by the statutory authority.

4. In view of the foregoing, the petition is accordingly dismissed.

Sd/-
Satish K.Agnihotri
Judge

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